[1] The Cochin Town Councils Bill

Dr. A. R. Menon *(Minister for Rural Development):* I move that the Cochin Town Councils Bill be taken up and finally passed.

Mr. K. P. Kannan Nayar *(Secretary to Government):* I second it.

Mr. T. V. Subramania Ayyar *(Nemmara):* I oppose it.

Motion put and carried

[2] The Cochin Wireless Telegraphy Bill

Mr. M. Sivarama Menon *(Advocate-General):* I move that the Cochin Wireless Telegraphy Bill be taken up and finally passed.

Mr. K. P. Kannan Nayar *(Secretary to Government):* I second it.

Motion put and carried

[3] The Cochin Rubber Control Act (Amendment) Bill

Mr. P. J. George *(Joint Secretary to Government):* I move that the Cochin Rubber Control Act (Amendment) Bill be taken up and finally passed.

Mr. M. Sivarama Menon *(Advocate-General):* I second it.

Motion put and carried

[4] The Cochin Forest Act (Amendment) Bill

Mr. T. Narayana Menon *(Conservator of Forests):* I move that the Cochin Forest Act (Amendment) Bill be taken up and finally passed.

Mr. K. V. Menon *(Publicity Officer):* I second it.

Motion put and carried

[5] The Cochin Prisons Act (Amendment) Bill

Mr. K. P. Kannan Nayar *(Secretary to Government):* I move that the Cochin Prisons Act (Amendment) Bill be taken up and finally passed.

Mr. M. Sivarama Menon *(Advocate-General):* I second it.

Motion put and carried

[6] The Cochin Lunacy Act (Amendment) Bill

Mr. K. P. Kannan Nayar *(Secretary to Government):* I move that the Cochin Lunacy Act (Amendment) Bill be taken up and finally passed.

Mr. M. Sivarama Menon *(Advocate-General):* I second it.

Motion put and carried

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[1] Vide Appendix I
[2] Vide Appendix II
[3] Vide Appendix III
[4] Vide Appendix IV
[5] Vide Appendix V
[6] Vide Appendix VI

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APPENDIX II

THE COCHIN WIRELESS TELEGRAPHY BILL

Preamble.—WHEREAS it is expedient to regulate the possession of wireless telegraphy apparatus in the Cochin State; It is hereby enacted as follows.—

1. (1) *Short title, extent and commencement.*—This Act may be called the Cochin Wireless Telegraphy Act,.....of 111 .

(2) It extends to the whole of the Cochin State.

(3) It shall come into force at such time as Government may, by notification in the Cochin Government Gazette, appoint.

2. *Definitions.*—In this Act unless there is anything repugnant in the subject or context,—

(1) "wireless communication" means the making, transmitting or receiving of telegraphic, telephonic or other communications by means of electricity or magnetism without the use of wires or other continuous electrical conductors between the transmitting and the receiving apparatus;

(2) "wireless telegraphy apparatus" means any apparatus, appliance, instrument or material used or capable of use in wireless communication, and includes any article determined by rule made under section 9 to be wireless telegraphy apparatus, but does not include any such apparatus, appliance, instrument or material commonly used for other electrical purposes, unless it has been specially designed or adapted, for wireless communication or forms part of some apparatus, appliance, instrument or material specially so designed or adapted, nor any article determined by rule made under section 9 not to be wireless telegraphy apparatus; and

(3) "prescribed" means prescribed by rules made under section 9.

3. *Prohibition of possession of wireless telegraphy apparatus without license.*—Save as provided by section 4, no person shall possess wireless telegraphy apparatus except under and in accordance with a license issued under this Act.

4. *Power of Government to exempt persons from provisions of the Act.*—Government may by rules made under this Act exempt any person or any class of persons from the provisions of this Act either generally or subject to prescribed conditions, or in respect of specified wireless telegraphy apparatus.

5. *Licenses.*—The District Magistrate or any other officer authorised by Government in this behalf shall be the authority competent to issue licenses to possess wireless telegraphy apparatus under this Act, and may issue licenses in such manner, on such conditions and subject to such payments, as may be prescribed.

6. (1) *Offence and penalty.*—Whoever possesses any wireless telegraphy apparatus in contravention of the provisions of section 3 shall be punished, in the case of the first offence, with fine which may extend to one hundred rupees, and in the case of a second or subsequent offence, with fine which may extend to two hundred and fifty rupees.

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(2) For the purposes of this section, a Court may presume that a person possesses wireless telegraphy apparatus, if such apparatus is under his ostensible charge or is located in any premises or place over which he has effective control.

(3) If in the trial of an offense under this section the accused is convicted, the Court shall decide whether any apparatus in respect of which an offence has been committed should be confiscated, and, if it so decides, may order confiscation accordingly.

7. (1) *Power of search.*—The District Magistrate, or a Magistrate of the first class or a Magistrate of the second class specially empowered by Government in this behalf, may issue a warrant for the search, at any time between sunrise and sunset, of any building, vessel or place in which he has reason to believe that any wireless telegraphy apparatus, in respect of which an offence punishable under section 6 has been committed, is kept or concealed.

(2) The officer to whom a search warrant under sub-section (1) is addressed may enter into any building, vessel or place mentioned in the warrant and seize any wireless telegraphy apparatus in respect of which he has reason to believe an offence under section 6 has been committed.

8. *Apparatus confiscated or having no owner to be property of Government.*—All wireless telegraphy apparatus confiscated under the provisions of sub-section (3) of section 6, and all wireless telegraphy apparatus having no ostensible owner shall be the property of Government.

9. (1) *Power of Government to make rules.*—Government may, by notification in the Cochin Government Gazette, make rules for the purpose of carrying into effect the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for—

(*i*) determining that any article or class of article shall be or shall not be wireless telegraphy apparatus for the purposes of this Act;

(*ii*) the exemption of persons or classes of persons under section 4 from the provisions of this Act;

(*iii*) the manner of and the conditions governing the issue, renewal, suspension and cancellation of licenses, the form of licenses, and the payments to be made for the issue and renewal of licenses;

(*iv*) the maintenance of records containing details of the acquisition and disposal by sale or otherwise of wireless telegraphy apparatus possessed by dealers in wireless telegraphy apparatus; and

(*v*) the conditions governing the sale of wireless telegraphy apparatus by dealers in and manufacturers of such apparatus.

(3) In making a rule under this section, Government may direct that a breach of it shall be punishable with fine which may extend to one hundred rupees.

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10. *Amendment to Act V of 1096.*—In the Cochin Telephone Act, V of 1096—

(*a*) in clause (1) of section 2 the words "making or transmitting" shall be substituted for the words "making, transmitting or receiving" and

(*b*) in section 3, the words "nor shall a private person deal in telephones or parts thereof" shall be deleted.

APPENDIX III

THE COCHIN RUBBER CONTROL ACT (AMENDMENT) BILL

Preamble.—WHEREAS it is expedient to further amend the Cochin Rubber Control Act, XXXIV of 1111, as extended by Proclamation III of 1114; It is hereby enacted as follows.—

1. (1) *Short title and commencement.*—This Act may be called the Cochin Rubber Control (Amendment) Act; 111 .

(2) It shall be deemed to have come into force on the 17th day of Dhanu 1114 corresponding to the 1st day of January 1939.

2. *Amendment to section 1.*—For sub-section (4) of section 1 of the Cochin Rubber Control Act, XXXIV of 1111, hereinafter referred to as the Act substitute the following —

"It shall continue in force until such time as Govenment shall, by notification in the Cochin Government Gazette, determine".

3. *Amendment to section 2.*—In section 2 of the Act—

(1) for clauses (*b*) to (*e*) the following shall be substituted.—

"(*b*) 'to export' means to take out of Cochin by land, sea or air to a French or Portuguese settlement bounded by India or to any place outside India.

(*c*) 'to plant' means to propagate a rubber plant from seed or any living portion of the rubber plant that may be used to propagate it; 'new planting' means planting in an area which has not since the 1st day of June 1934, carried any rubber plants or substituting in an area carrying rubber plants and other growths, rubber growths for those other growths; 'to replant' means to plant, in such circumstances as not to constitute new planting, on any one acre of an area carrying rubber plants on the 1st day of June 1934, more than thirty rubber plants; and 'to supply' means so to plant on any one acre of such an area thirty rubber plants or less ;

(*d*) 'rubber' means—

(*i*) crude rubber, that is to say, rubber prepared from the leaves, bark or latex of any rubber plant,

(*ii*) the latex of any rubber plant, whether fluid or coagulated, in any stage of the treatment

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